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Right of peoples to self-determination

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Programme budget implications of draft resolution A/C.3/56/L.31

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraph 10 of draft resolution A/C.3/56/L.31, the General Assembly would request the United Nations High Commissioner for Human Rights to convene, before the fifty-ninth session of the Commission on Human Rights, a second expert meeting, pursuant to General Assembly resolution 54/151 of 17 December 1999, to continue studying and updating the international legislation and to make recommendations for a clearer legal definition of mercenaries that would make more efficient the prevention and punishment of mercenary activities.

II. Relationship of the proposed request to the medium-term plan for the period 2002-2005 and to the proposed programme of work for the biennium 2002-2003

2. The activities referred to above are associated with subprogramme 3, Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities, of programme 19, Human rights, of the medium-term plan for the period 2002-2005 and to the same subprogramme of section 22, Human rights, of the programme budget for the biennium 2002-2003.

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III. Activities by which the requests would be implemented

3. Should the General Assembly adopt the draft resolution, an expert meeting would be convened by the United Nations High Commissioner for Human Rights at Geneva in 2002 for a period of five working days. A total of 10 academic experts would be invited to the meeting.

IV. Modification required in the programme of work for 2002-2003

4. The narrative of section 22 of the proposed programme budget for the biennium 2002-2003 would be modified as shown below. Subject to the decision of the General Assembly at its fifty-sixth session, this narrative will be incorporated into the final version of the programme of work of section 22 of the programme budget for the biennium 2002-2003.

Paragraph 22.44 (a)

Add: (v) Expert meeting to study the international legislation in force and to make recommendations for a clearer legal definition of mercenaries that would make more efficient the prevention and punishment of mercenaries activities.

Paragraph 22.44 (b) (i)

Add: One study on the international legislation in force, including recommendations for a clearer legal definition of mercenaries.

V. Indication of additional requirements

5. The implementation of the requests contained in the draft resolution would entail the following requirements for the biennium 2002-2003:

Additional requirements		*United States dollars*
Section 22, Human rights		
General temporary assistance		
6 weeks at P-3 level	11 000	
6 weeks at General Service level	8 600	
Ad hoc expert group		
10 academic experts from different regions (Travel and daily subsistence allowance)	44 500	
Total section 22		**64 100**
Section 2, General Assembly affairs and conference services		
Meeting services, 10 pre-session documents, 5 in-session documents, 5 post-session documents and other requirements		**154 200**

6. No provision has been made under the proposed programme budget for the biennium 2002-2003 in relation to the second expert meeting. At this stage, it is not anticipated that these requirements could be absorbed within the existing resources under section 22, Human rights, of the proposed programme budget for the biennium 2002-2003.

7. In connection with conference-servicing requirements, the extent to which the Organization's permanent capacity would need to be supplemented by temporary assistance resources can be determined only in the light of the calendar of conferences for 2002-2003. However, provisions are included under section 2, General Assembly affairs and conference services of the proposed programme budget for 2002-2003 not only for meetings programmed at the time of the budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences are consistent with the pattern of meetings in past years. As a result, no additional appropriation would be required under that section.

VI. Contingency fund

8. It will be recalled that under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under the same procedure, if additional expenditures proposed exceed resources available from the contingency fund, these activities can be implemented only through the redeployment of resources available from low-priority areas or the modification of existing activities.

9. Should it not prove possible to meet the cost required from the contingency fund, the activities and outputs to be carried out under section 22 foreseen for the biennium 2002-2003 would have to be further reprogrammed and modified beyond the proposals included in the present statement.

VII. Summary

10. Should the General Assembly adopt draft resolution A/C.3/56/L.31, that decision would give rise to additional requirements of $64,100 for the biennium 2002-2003 under section 22, Human rights.

11. It is not possible at this stage to identify activities within section 22 of the proposed programme budget for the biennium 2002-2003 that could be terminated, deferred, curtailed or modified during the biennium.

12. Consequently, an additional provision of $64,100 would be required over and above the resources proposed under section 22, Human rights, in the proposed programme budget for the biennium 2002-2003. This provision would represent a charge against the contingency fund and, as such, would require an increase in appropriations for the biennium 2002-2003.